

**DURHAM CITY COUNCIL WORK SESSION
THURSDAY, OCTOBER 19, 2006 – 1:00 P.M.
Committee Room – 2nd Floor – City Hall**

SUBJECT: PROPOSED SALE OF PROPERTY AT 509 AND 512 EASTWAY AVENUE AND 1315 TAYLOR STREET – PIN #'S 0831-10-45-4294; 0831-10-45-6362; AND 0831-10-45-4136

MOTION by Council Member Clement seconded by Council Member Catotti to suspend the rules of the City Council and take action on the above-mentioned subject was approved at 1:13 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Catotti to determine the properties at 509 and 512 Eastway Avenue and 1315 Taylor Street as surplus;

To authorize the sale of the properties under the authority of Section 86 of the City Charter;

To accept the offers to purchase the properties located at 509 and 512 Eastway Avenue and 1315 Taylor Street; and

To authorize the City Manager to sell and the Mayor to convey the properties by a non-warranty deed was approved at 1:13 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: CONSTRUCTION MANAGEMENT AT RISK
PRECONSTRUCTION SERVICES AGREEMENTS – SKANSKA
USA BUILDING, INC., HEERY INTERNATIONAL, INC. AND
CENTEX CONSTRUCTION, LLC**

By letter dated October 10, 2006, Barnhill Construction informed the city they were withdrawing from consideration as one of the City of Durham's construction manager at risk firms.

MOTION by Council Member Catotti seconded by Council Member Brown to suspend the rules of the City Council and take action on the above-mentioned subject was approved at 3:05 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

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MOTION by Council Member Catotti seconded by Council Member Clement to authorize the City Manager to negotiate and execute the agreements with Skanska USA Building, Inc., Heery International, Inc. and Centex Construction LLC for preconstruction services provide the fees to be paid for these services for any single project does not exceed five percent (5%) of the total budget for construction for that project, and the total amount of each contract does not exceed the amounts listed in the portfolio summary, and

To authorize the City Manager to make changes to the agreements so long as those changes are consistent with the intent of the memo was approved at 3:08 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: CLEAN ENERGY DURHAM

MOTION by Council Member Stith seconded by Council Member Woodard to suspend the rules of the City Council and take action on the above-mentioned subject was approved at 5:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

MOTION by Council Member Stith seconded by Council Member Woodard to adopt as amended a Resolution of the City Council of the City of Durham Supporting Comprehensive Energy Efficiency Planning for North Carolina was approved at 5:31 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

Resolution #9404

SUBJECT: LEASE RENEWAL AT 211 RIGSBEE AVENUE – PARCEL ID 103009 – MUTATION, LLC

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Woodard to suspend the rules of the City Council and take action on the above-mentioned subject was approved at 5:59 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Woodard to authorize the City Manager to execute a lease for two floors of the building

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at 211 Rigsbee Avenue from Mutation LLC for the period beginning October 25, 2006 through August 31, 2007 (first floor), and from April 25, 2007 through February 29, 2008 (second floor); and

To authorize the City Manager to make changes to the lease, prior to execution, provided such changes do not increase the rental rate or change the intent of the agenda item was approved at 6:00 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

D. Ann Gray, CMC
City Clerk